

ORIGINAL



0000063177

BEFORE THE ARIZONA CORPORATION COMMISSION

254mh

COMMISSIONERS

2006 OCT 24 P 2:32

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
THE CITY OF SURPRISE TO UPGRADE AN
EXISTING CROSSING OF THE BURLINGTON
NORTHERN AND SANTA FE RAILWAY AT
BELL ROAD AND GRAND AVENUE, IN THE
CITY OF SURPRISE, MARICOPA COUNTY,
ARIZONA, AT AAR/DOT NO. 025-392-A.

DOCKET NO. RR-02635B-05-0283

PROCEDURAL ORDER

BY THE COMMISSION:

On July 18, 2005, the Commission issued Decision No. 67975 which approved an application of the Burlington Northern and Santa Fe Railway Company ("Railroad") to upgrade an existing crossing at the Railroad's tracks at Bell Road and Grand Avenue in the City of Surprise ("City"), Arizona, at AAR/DOT No. 025-392-A. Pursuant to Decision No. 67975, the upgrade was to be completed within 15 months of the effective date of the Decision, or October 18, 2006.

On September 26, 2006, the Railroad filed a request for an extension of eighteen months, until March 18, 2008, to complete the upgrade because the City did not retain a contractor until approximately August, 2006.

On September 28, 2006, by Procedural Order, the Commission's Railroad Safety Section ("Safety") was ordered to file a response by October 10, 2006.

On October 10, 2006, Safety filed its response indicating that it does not object to the Railroad's request for an extension.

Accordingly, the Railroad's request for an extension of time should be granted.

...

...

...

...

...

Arizona Corporation Commission
DOCKETED

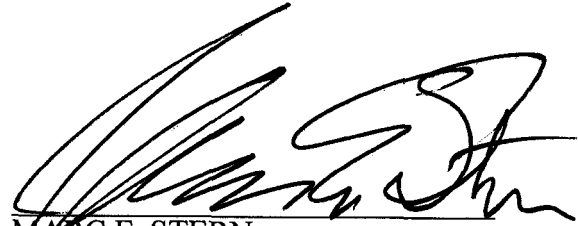
OCT 24 2006

DOCKETED BY

NR

1 IT IS THEREFORE ORDERED that the request of the Burlington, Northern and Santa Fe
2 Railway Company's for an extension of time, until March 18, 2006, to complete the upgrade
3 described above is hereby granted.

4 DATED this 24th day of October, 2006



MARC E. STERN
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
this 24th day of October, 2006 to:

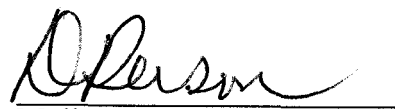
10 John Syers
11 Railroad Engineering Coordinator
12 Arizona Department of Transportation
205 S. 17th Avenue, Mail Drop 618E
Phoenix, AZ 85007

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

13 Megan T. McIntyre, Manager
14 Public Projects
BNSF
15 740 East Carnegie Drive
San Bernardino, CA 92408

Brian Lehman
Railroad Safety Section
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

16 David Gibson
17 ADOT
Traffic Records Section
18 206 S. 17th Avenue, MD-064R
Phoenix, AZ 85007

By: 
Molly Johnson
Secretary to Marc Stern

19 Nicholas E. Mascia
20 Traffic Engineer
12425 West Bell Road, Ste. D-100
21 Surprise, AZ 85374